

# **EXHIBIT “A”**



Outlook

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**RE: Snookal v. Chevron - witnesses**

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From Olivia Flechsig <oflechsig@amglaw.com>

Date Sat 8/16/2025 6:56 PM

To Robert Mussig <RMussig@sheppardmullin.com>; Tracey Kennedy <TKennedy@sheppardmullin.com>

Cc Sarah Fan <SFan@sheppardmullin.com>; Angie Paz <apaz@amglaw.com>; Dolores Leal <dleal@amglaw.com>

Hi Robert,

In light of this scheduling revelation regarding Dr. Akintunde, we will be filing designations of her deposition on Monday. We will plan to take Drs. Asekomeh and Adeyeye on Wednesday and Thursday, respectively, within the availability you indicated. We reserve the right to designate other depositions later if some unforeseen issue arises despite your agreement to make them available.

Moreover, we object to the entirety of your deposition designations. We did not submit our counter-designations or specific objections to you because you represented that they were in case the witnesses would be unavailable, and following the Final Pretrial Conference, you agreed to make all of those witnesses available. We were therefore extremely surprised when, yesterday, a day after the Court's deadline, you filed them without warning and without ever following up.

Last, we want to meet and confer with you about your failure to make Amir Zaheer available to testify at trial, despite the fact that he is Defendant's employee. Please let us know whether you intend to abandon your damages defense that Mr. Zaheer was eliminated from the REM position in 2020 (see e.g. Snookal Dep. Tr. at ) given that you 1) failed to produce documents supporting this defense and 2) have now made him unavailable to testify. Defendant's failure to cooperate in discovery, and now its failure to make Mr. Zaheer available despite the fact that he is its current employee, and Tracey represented that Chevron would make him available, prejudices Plaintiff. If Defendant plans to persist in making this argument, we intend to move the Court for an order pursuant to FRCP Rule 37(c)(1) to preclude Defendant from raising this at trial.

Best,  
Olivia

Olivia Flechsig, Esq.  
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**From:** Robert Mussig <RMussig@sheppardmullin.com>

**Sent:** Saturday, August 16, 2025 12:33 PM

EXH A/1

**To:** Olivia Flechsig <oflechsig@amglaw.com>; Tracey Kennedy <TKennedy@sheppardmullin.com>; Dolores Leal <dleal@amglaw.com>

**Cc:** Sarah Fan <SFan@sheppardmullin.com>; Angie Paz <apaz@amglaw.com>

**Subject:** RE: Snookal v. Chevron - witnesses

Hi Olivia,

We filed the deposition designations out of an abundance of caution. We still anticipate all three Nigerian doctors will testify. But given that it's another country, it's possible there will be issues (e.g., connectivity issues). So we wanted to file the designations just in case.

We did inadvertently switch the order of two of the doctors. My email below indicates Dr. Akintunde is available on Wednesday and Dr. Asekomeh is available on Friday – that should be flipped. It should be Dr. Asekomeh on Wednesday and Dr. Akintunde on Friday. As before, we are of course agreeable to allowing you to rest on Thursday, subject to calling Dr. Akintunde on Friday morning.

Finally, please let us know whether you will remove the slides in your opening that we objected to.

Thanks,

Rob

**Robert Mussig** | Partner  
**SheppardMullin** | Los Angeles  
+1 213-617-5558 | ext. 15558

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**From:** Olivia Flechsig <[oflechsig@amglaw.com](mailto:oflechsig@amglaw.com)>

**Sent:** Friday, August 15, 2025 5:25 PM

**To:** Tracey Kennedy <[TKennedy@sheppardmullin.com](mailto:TKennedy@sheppardmullin.com)>; Robert Mussig <[RMussig@sheppardmullin.com](mailto:RMussig@sheppardmullin.com)>; Dolores Leal <[dleal@amglaw.com](mailto:dleal@amglaw.com)>

**Cc:** Sarah Fan <[SFan@sheppardmullin.com](mailto:SFan@sheppardmullin.com)>; Angie Paz <[apaz@amglaw.com](mailto:apaz@amglaw.com)>

**Subject:** RE: Snookal v. Chevron - witnesses

Tracey,

We see that despite the discussion below, Chevron just filed deposition designations for available witnesses Adeyeye, Akintunde, and Levy. What is the purpose of that after we discussed that these designations were for unavailable witnesses? Also, will you be responding today with objections to our designations of Asekomeh I sent?

Best,  
Olivia

Olivia Flechsig, Esq.  
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EXH A/2

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**From:** Tracey Kennedy <[TKennedy@sheppardmullin.com](mailto:TKennedy@sheppardmullin.com)>  
**Sent:** Friday, August 15, 2025 2:38 PM  
**To:** Olivia Flechsig <[oflechtsig@amglaw.com](mailto:oflechtsig@amglaw.com)>; Robert Mussig <[RMussig@sheppardmullin.com](mailto:RMussig@sheppardmullin.com)>; Dolores Leal <[dleal@amglaw.com](mailto:dleal@amglaw.com)>  
**Cc:** Sarah Fan <[SFan@sheppardmullin.com](mailto:SFan@sheppardmullin.com)>; Angie Paz <[apaz@amglaw.com](mailto:apaz@amglaw.com)>  
**Subject:** RE: Snookal v. Chevron - witnesses

Olivia

We are agreeable to allowing you to rest on Thursday, subject to calling Dr. Asekomeh on Friday morning – taking him out of order for your case in chief if you like.

As to the designations, please add ours to your designations that we sent two weeks ago.

**Tracey Kennedy**  
**SheppardMullin** | Los Angeles  
+1 213-617-4249 | ext. 14249

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**From:** Olivia Flechsig <[oflechtsig@amglaw.com](mailto:oflechtsig@amglaw.com)>  
**Sent:** Friday, August 15, 2025 2:26 PM  
**To:** Robert Mussig <[RMussig@sheppardmullin.com](mailto:RMussig@sheppardmullin.com)>; Dolores Leal <[dleal@amglaw.com](mailto:dleal@amglaw.com)>  
**Cc:** Tracey Kennedy <[TKennedy@sheppardmullin.com](mailto:TKennedy@sheppardmullin.com)>; Sarah Fan <[SFan@sheppardmullin.com](mailto:SFan@sheppardmullin.com)>; Angie Paz <[apaz@amglaw.com](mailto:apaz@amglaw.com)>  
**Subject:** RE: Snookal v. Chevron - witnesses

Robert,

We are well aware of your position that these doctors are not employed by Chevron USA, but your firm represented them at their depositions and refused to make their contact info available in discovery because we must contact them through you. The trial date has been set for the better part of eight months, and at the FPTC, you agreed to make them available at least remotely. Not to mention, you agreed to make these witnesses available without a subpoena at our meet and confer regarding the FPTC in mid-July.

With respect to Drs. Akintunde and Drs. Adeyeye, we will make the timing you provided work (i.e. Dr. Akintunde on Wednesday morning 8/20, and Dr. Adeyeye on Thursday 8/21).

However, only making Dr. Asekomeh available on Friday is tantamount to making him unavailable. As you know, each side has been limited to a total of 9 hours to present their case, which means that we will likely have rested Plaintiff's case on or before Friday morning. In light of your late disclosure of this issue (yesterday/5 days before trial), we have now done the additional exercise of designating his deposition transcripts for lodging. They are attached for your review.

**Please let us know of any objections or counter-designations today so that we can file this ASAP.** We plan to file the designation chart along with a brief explanation of why this is now later than the judge ordered.

Notwithstanding, please DO still make Dr. Asekomeh available Friday morning in case the timing ultimately allows for his live testimony.

On the first day of trial, we will be calling Drs. Marmureanu and Khan. Please also make Mr. Powers and Dr. Levy available on that day as well.

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Best,  
Olivia

Olivia Flechsig, Esq.  
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**From:** Robert Mussig <[RMussig@sheppardmullin.com](mailto:RMussig@sheppardmullin.com)>

**Sent:** Thursday, August 14, 2025 7:34 PM

**To:** Dolores Leal <[dleal@amglaw.com](mailto:dleal@amglaw.com)>

**Cc:** Olivia Flechsig <[oflechsig@amglaw.com](mailto:oflechsig@amglaw.com)>; Tracey Kennedy <[TKennedy@sheppardmullin.com](mailto:TKennedy@sheppardmullin.com)>; Sarah Fan <[SFan@sheppardmullin.com](mailto:SFan@sheppardmullin.com)>; Angie Paz <[apaz@amglaw.com](mailto:apaz@amglaw.com)>

**Subject:** Re: Snookal v. Chevron - witnesses

Hi Dolores,

It has taken a lot of effort to coordinate this. One of the doctors is not even on rotation and is several hours away from any chevron facility, but we were able to convince him to come in.

As a reminder, these doctors are contracted to Chevron Nigeria. That's an entirely different entity from Chevron U.S.A. I know you've argued it's all Chevron, but as we've pointed out, it's really not. They're different entities, with different corporate structures. We can ask but we can't demand. I wish they were under my control, but at the end of the day, they're not, especially when they're on time off. But, they have agreed to appear per our request. We need to accommodate their schedules.

They can't all testify on Wednesday. It would result in at least one and probably two of them testifying well into the night. They can appear at the times I indicated.

Also, do you plan to wrap up before Friday? Your email indicates you do. If so, please let us know so we can make arrangements.

Finally, you haven't advised who you plan to call on Tuesday. Right now, we plan to have Dr. Levy and Mr. Powers available. If we don't hear anything further from you, we'll stick with that plan.

Rob

On Aug 14, 2025, at 5:54 PM, Dolores Leal <[dleal@amglaw.com](mailto:dleal@amglaw.com)> wrote:

Robert,

If you're telling us at the last minute that 2 (Dr. Adeyeye and Dr. Asekomeh) of the 3 the Nigerian doctors can't testify until 8/21 and 8/22, that may very well be after the

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close of our case. Moreover, as you recall, Judge Vera ordered that deposition transcript designations be filed by today. Obviously with your late notice, this cannot occur.

Even though you take the position that the 3 doctors are not Chevron employees, Chevron has always controlled the doctors, stating that they could only be contacted through you/counsel. As you know, Chevron is the only company for whom they perform work. For you to say, "remember they are not Chevron employees" is disingenuous.

Please advise if you will make another attempt to have the 3 testify on Wednesday 8/20/25 morning.

Dolores

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**From:** Dolores Leal  
**Sent:** Thursday, August 14, 2025 5:42 PM  
**To:** Robert Mussig <[RMussig@sheppardmullin.com](mailto:RMussig@sheppardmullin.com)>  
**Cc:** Olivia Flechsig <[oflechsig@amglaw.com](mailto:oflechsig@amglaw.com)>; Tracey Kennedy <[TKennedy@sheppardmullin.com](mailto:TKennedy@sheppardmullin.com)>; Sarah Fan <[SFan@sheppardmullin.com](mailto:SFan@sheppardmullin.com)>; Angie Paz <[apaz@amglaw.com](mailto:apaz@amglaw.com)>  
**Subject:** RE: Snookal v. Chevron - witnesses

Robert,  
You didn't address Mr. Zahir (raised in the last section of my email).  
Dolores

---

**From:** Robert Mussig <[RMussig@sheppardmullin.com](mailto:RMussig@sheppardmullin.com)>  
**Sent:** Thursday, August 14, 2025 5:24 PM  
**To:** Dolores Leal <[dleal@amglaw.com](mailto:dleal@amglaw.com)>  
**Cc:** Olivia Flechsig <[oflechsig@amglaw.com](mailto:oflechsig@amglaw.com)>; Tracey Kennedy <[TKennedy@sheppardmullin.com](mailto:TKennedy@sheppardmullin.com)>; Sarah Fan <[SFan@sheppardmullin.com](mailto:SFan@sheppardmullin.com)>; Angie Paz <[apaz@amglaw.com](mailto:apaz@amglaw.com)>  
**Subject:** Re: Snookal v. Chevron - witnesses

Hi Dolores,  
We've talked to them and this is when they are available. Please remember, these are not chevron employees. We are doing this as a courtesy to you and at the direction of the court. The court asked us to see if they can be available via zoom and we have done so. They had to clear out their work and medical schedules to be available at these times. If these times do not work, we will have to use their deposition testimony. These are the only times they are available. Please confirm these times work otherwise we tell them they will not need to appear.

Rob

On Aug 14, 2025, at 5:17 PM, Dolores Leal <[dleal@amglaw.com](mailto:dleal@amglaw.com)> wrote:

Robert,

Your proposed schedule for the doctors does not work. On 8/9/19, I sent you the below email regarding the witnesses:

**From:** Dolores Leal <[dleal@amglaw.com](mailto:dleal@amglaw.com)>  
**Sent:** Saturday, August 9, 2025 1:49 PM

EXH A/5

To: Robert Mussig <[RMussig@sheppardmullin.com](mailto:RMussig@sheppardmullin.com)>; Tracey Kennedy <[TKennedy@sheppardmullin.com](mailto:TKennedy@sheppardmullin.com)>

Cc: Olivia Flechsig <[oflechsig@amglaw.com](mailto:oflechsig@amglaw.com)>; Angie Paz <[apaz@amglaw.com](mailto:apaz@amglaw.com)>; Josie Pena <[jpena@amglaw.com](mailto:jpena@amglaw.com)>

Subject: RE: SNOOKAL./CHEVRON - WITNESSES

**Robert,**

**Since Tuesday 8/19 is a full day (and voir dire will probably be short), we'll have most of the day for witness testimony after the opening statements.**

**Please have Dr. Levy, Mr. Powers, Mr. Malpica and Mr. Zaheer available to testify on 8/19.**

**If we run out of time on 8/19, whoever didn't testify can go on after the 3 Nigerian doctors in the morning of 8/20.**

**Since Tracey said that they can't be in the U.S., the doctors will have to testify via zoom. Because of the time difference, they should be the first witnesses in the morning.**

**Dr. Sobel's attorney advised that Dr. Sobel is not available until the afternoon on 8/20.**

You subsequently advised that Mr. Malica would be available on 8/20. That is fine.

As you know, Judge Vera said he wanted persons to testify in person unless it was not possible. Hence, with respect to Mr. Zaheer, please confirm his availability for 8/20.

Dolores

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**From:** Robert Mussig <[RMussig@sheppardmullin.com](mailto:RMussig@sheppardmullin.com)>

**Sent:** Thursday, August 14, 2025 12:18 PM

**To:** Dolores Leal <[dleal@amglaw.com](mailto:dleal@amglaw.com)>; Olivia Flechsig <[oflechsig@amglaw.com](mailto:oflechsig@amglaw.com)>

**Cc:** Tracey Kennedy <[TKennedy@sheppardmullin.com](mailto:TKennedy@sheppardmullin.com)>; Sarah Fan <[SFan@sheppardmullin.com](mailto:SFan@sheppardmullin.com)>

**Subject:** Snookal v. Chevron - witnesses

Dolores and Olivia,

We have made arrangements for the Nigerian doctors to appear remotely. Given the time difference and schedules (e.g., Dr. Asekomeh is not on rotation and is going to have to travel several hours to a Chevron facility to have a stable internet connection), here's when the doctors are available:

Wednesday, 8/20 at 9 am: Dr. Akintunde

Thursday, 8/21 at 9:30 am: Dr. Adeyeye

Friday, 8/22 at 9 am: Dr. Asekomeh

Also, can you confirm who you are calling on Tuesday so we can make arrangements?

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EXH A/7



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